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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/624,285	07/24/2000	Michael Maguire	555255012115	6347
7590 David B Cochran Esq Jones Day Reavis & Pogue North Point 901 Lakeside Avenue Cleveland, OH 44114			EXAMINER STORK, KYLE R	
			ART UNIT 2178	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/20/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/624,285

Applicant(s)

MAGUIRE, MICHAEL

Examiner

Kyle R. Stork

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This non-final office action is in response to the remarks filed 20 November 2006.
2. Claims 22-50 are pending. Claims 22, 34, and 45 are independent claims.

The rejection of claims 22-30, 32-41, and 43-49 under 35 USC 103 over Bickmore et al. (EP 0949571, published 13 October 1999) and further in view of Bickmore et al. ("Web Page Filtering and Re-Authoring for Mobile Users," 21 April 1999) has been withdrawn.

The rejection of claims 31, 42, and 50 under 35 USC 103 over Bickmore and Bickmore, and further in view of Baecker et al (US 5479602) has been withdrawn.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 22-31, 33-42, and 44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claims 22 and 34 contain the limitation, "if the information page includes a plurality of frames (claim 22, line 5)." Following the conditional statement a plurality of steps are listed. Further, the applicant has not disclosed the steps to be taken in the event that the information page does not contain a plurality of frames. The failure to specify the actions to be followed if the conditional statement is not satisfied renders the claim indefinite by failing to point out and distinctly claim the subject matter

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to be followed for all pages. However, claims 32 and 43 disclose the steps to be taken in the event that the information page does not contain frames. For the purposes of examination of claims 22 and 34, the examiner will consider the limitations of claims 32 and 43 to be the steps to be followed if the page does not contain frames.

Claims 28-31, 33, 39-42, and 44 contain further limitations modifying the steps to be executed if the information page includes a plurality of frames. However, in the event that a requested and retrieved web page does not contain frames, and thereby meeting the claimed limitations of claims 22 and 34 respectively, these claim limitations are moot.

Claims not specifically addressed above are rejected based upon their dependency upon a rejected base claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 22-50 rejected under 35 U.S.C. 102(a) as being anticipated by the applicant's admitted prior art (Specification for application 09/624285, hereafter AAPA).

As per independent claim 22, AAPA discloses a method of providing an information page to a handheld viewing device, comprising the steps of:

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- Requesting an information page at the handheld viewing device (page 2, lines 14-21)
- Retrieving the information page from a remote server (page 3, lines 13-20)
- If the information page includes a plurality of frames, then generating an abbreviated version of the information page, wherein the abbreviated version includes a graphical presentation of the information page and an image map that identifies the locations of the plurality of frames within the graphical representation of the information page
- Transmitting the abbreviated version of the information page to the handheld viewing device (page 3, lines 13-20: Here, the applicant discloses the transfer of web pages to a handheld viewing device without abbreviating the page into a graphical representation and image map. In this instance, the actual data of the webpage is untouched as it is transferred to a portably viewing device. This therefore meets the limitation of claim in the instance that an information page (webpage) does not contain frames)

As per dependent claim 23, AAPA discloses providing a gateway device for receiving the request from the handheld viewing device and for retrieving the information page from the remote system (page 3, line 13-20: Here, a proxy server is a gateway device).

As per dependent claim 24, AAPA discloses coupling the gateway device to the handheld viewing device via a wireless network (page 3, lines 13-20).

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As per dependent claim 25, AAPA discloses coupling the gateway device to the remote system via a wired network (page 2, lines 14-21: Here, a modem implies the use of a wired network).

As per dependent claim 26, AAPA discloses wherein the wired network is the Internet and the remote system is a world-wide-web server (page 3, lines 9-20).

As per dependent claim 27, AAPA discloses wherein the information page is a webpage (page 3, line 21- page 4, line 4).

As per dependent claims 28-31 and 33, AAPA discloses wherein the information page does not contain frames. Claims 28-31 and 33 only apply to the processing of the information page if it contains frames. Therefore, these claims are moot with respect to the information page not containing frames.

As per dependent claim 32, AAPA discloses if the information page does not include a plurality of frames, then transmitting the information page to the handheld viewing device without abbreviating it into the graphical representation and the image map (page 3, lines 13-20).

As per claims 34-50, the applicant discloses the limitations similar to those contained in claims 22-32. Claims 34-50 are similarly rejected.

Response to Arguments

7. Applicant's arguments with respect to claims 22-50 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000..

krs

Kyle R Stork
Patent Examiner
Art Unit 2178


STEPHEN HONG
SUPERVISORY PATENT EXAMINER